

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Matthew A. Sovick
Debtor(s)

Bankruptcy Case No.: 20-20420-CMB
8/27/2020
Chapter: 13
Docket No.: 29 – 26, 28
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated 7/15/2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$4957.00 as of 9/20. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: Unsecured creditors will receive a 100% distribution

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm, Judge
United States Bankruptcy Court

Dated: September 2, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Matthew A. Sovick
 Debtor

Case No. 20-20420-CMB
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dsaw
 Form ID: 149

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 Total Noticed: 38

Date Rcvd: Sep 02, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 04, 2020.

db +Matthew A. Sovick, 309 Porter Street, Springdale, PA 15144-1116
 cr +Colfax Power Plant Employees Federal Credit Union, 832 Pittsburgh Street, P.O. Box 186, Springdale, PA 15144-0186
 cr +Peoples Gas Company LLC, f/k/a Peoples TWP LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
 15194547 +B.I. Federal Credit Union, d/b/a BIFCU, c/o BI Federal Credit Union, 554 Joffre Cherry Valley Rd, Burgettstown, PA 15021-2812
 15194545 +Barclay Card, 125 Southwest Street, Wilmington, DE 19801-5014
 15194550 +Citibank NA, P.O. BOX 6500, Sioux Falls, SD 57117-6500
 15230202 Citibank, N.A., 5800 S Corporate Pl, Sioux Falls, SD 57108-5027
 15194551 +Colfax Credit Union, P.O. Box 186, Springdale, PA 15144-0186
 15194552 +Colfax Power Plant Employees C. U., P.O. Box 186, Springdale, PA 15144-0186
 15194553 +Colfax Power Plant Employees C.U., P.O. Box 186, Springdale, PA 15144-0186
 15219204 +Colfax Power Plant Employees Federal Credit Union, P.O. Box 186, Springdale, PA 15144-0186
 15194554 +Colfax Power Plant visa, p.o. box 186, Springdale, PA 15144-0186
 15194556 +First Bankcard, P.O. Box 2340, Omaha, NE 68103-2340
 15194557 +Firstmark Services, P.O. Box 82522, Lincoln, NE 68501-2522
 15230198 +Goldman Sachs Bank USA, c/o John D. Sadler, 1909 K Street NW, 12th Floor, Washington, DC 20006-1152
 15194558 +Home Depot, P.O. Box 790328, Saint Louis, MO 63179-0328
 15216480 +JPMorgan Chase Bank, N.A., s/b/m/t Chase Bank USA, N.A., c/o Robertson, Anschutz & Schneid, P.L., 6409 Congress Avenue, Suite 100, Boca Raton, FL 33487-2853
 15230197 +John D. Sadler, 1909 K Street NW, 12th Floor, Washington 20006-1152
 15194559 Marcus by Goldman Sachs, P.O. Box 45400, Salt Lake City, UT 84145-0400
 15199528 +PERI GARITE, ATTN CARD WORKS, 101 CROSSWAYS PARK DR W, WOODBURY NY 11797-2020
 (address filed with court: First National Bank of Omaha, 1620 Dodge Street, Stop Code 3129, Omaha, Nebraska 68197)
 15194561 +Quicken Loans, Inc., P.O. Box 442359, Detroit, MI 48244-2359

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/Text: kburkley@bernsteinlaw.com Sep 03 2020 04:59:20 Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
 cr +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Sep 03 2020 05:04:32 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15194546 +E-mail/Text: defaultspecialty.us@bbva.com Sep 03 2020 04:58:25 BBVA, P.O. Box 830696, Birmingham, AL 35283-0696
 15199224 E-mail/Text: Bankruptcy.RI@Citizensbank.com Sep 03 2020 04:57:09 Citizens Bank N.A., One Citizens Bank Way Mailstop JCA115, Johnston, RI 02919
 15194548 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Sep 03 2020 05:03:14 Capital One, PO Box 71083, Charlotte, NC 28272-1083
 15214912 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Sep 03 2020 05:02:17 Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083, Charlotte, NC 28272-1083
 15194555 E-mail/Text: mrdiscen@discover.com Sep 03 2020 04:57:11 Discover Financial Services, PO Box 30943, Salt Lake City, UT 84130-0943
 15197391 E-mail/Text: mrdiscen@discover.com Sep 03 2020 04:57:11 Discover Bank, Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 15222187 E-mail/Text: JCAP_BNC_Notices@jcap.com Sep 03 2020 04:58:49 Jefferson Capital Systems LLC, Po Box 7999, Saint Cloud Mn 56302-9617
 15194549 E-mail/PDF: ais.chase.ebn@americaninfosource.com Sep 03 2020 05:02:13 Chase Card Services, PO Box 15298, Wilmington, DE 19850-5298
 15226350 E-mail/PDF: resurgentbknotifications@resurgent.com Sep 03 2020 05:03:34 LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 15222569 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Sep 03 2020 05:03:25 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
 15194560 E-mail/PDF: gecsedirecoverycorp.com Sep 03 2020 05:03:01 Paypal Credit Cards, P.O. Box 960006, Orlando, FL 32896-0080
 15210330 +E-mail/Text: bankruptcyteam@quickenloans.com Sep 03 2020 04:59:01 Quicken Loans Inc., 635 Woodward Avenue, Detroit, MI 48226-3408
 15195667 +E-mail/PDF: gecsedirecoverycorp.com Sep 03 2020 05:02:05 Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15230010 +E-mail/PDF: gecsedirecoverycorp.com Sep 03 2020 05:04:03 Synchrony Bank, c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk VA 23541-1021
 15194562 +E-mail/PDF: gecsedirecoverycorp.com Sep 03 2020 05:02:03 Synchrony Bank/Amazon, P.O. BOX 960090, Orlando, FL 32896-0090

TOTAL: 17

District/off: 0315-2

User: dsaw
Form ID: 149

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Total Noticed: 38

Date Rcvd: Sep 02, 2020

***** BYPASSED RECIPIENTS (continued) *****

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Quicken Loans Inc.

TOTALS: 1, * 0, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 04, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 2, 2020 at the address(es) listed below:

Gary H. Simone on behalf of Debtor Matthew A. Sovick rishor.simonel@1stcounsel.com
James Warmbrodt on behalf of Creditor Quicken Loans Inc. bkggroup@kmlawgroup.com
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,
jbluemle@bernsteinlaw.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Peoples Gas Company LLC, f/k/a Peoples TWP LLC
sjw@sjwpgh.com, srk@sjwpgh.com;PNGbankruptcy@peoples-gas.com
Tiffany Worosz on behalf of Creditor Colfax Power Plant Employees Federal Credit Union
covellilawoffices@yahoo.com, tworosz@covellilaw.com

TOTAL: 7